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9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 MICHAEL E. DAVIS, aka TONY DAVIS,
14 VINCE FERRAGAMO, and BILLY JOE
15 DUPREE, on behalf of themselves and all
others similarly situated,

16 Plaintiffs,

17 vs.

18 ELECTRONIC ARTS, INC.,

19 Defendant.

CASE NO. 10-cv-3328 RS

**STIPULATION AND ~~PROPOSED~~
ORDER RE CONTINUANCE OF CASE
MANAGEMENT CONFERENCE AND
BRIEFING SCHEDULE AND HEARING
DATE FOR ELECTRONIC ARTS INC.'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

1 Pursuant to Local Rule 6-2 the parties hereby submit this stipulated request for an Order
2 regarding the Case Management Conference, and the briefing and hearing schedule on defendant
3 Electronic Arts Inc.'s ("EA") Motion for Partial Summary Judgment ("MSJ") (Dkt. 205).

4
5 WHEREAS, on February 2, 2017 this Court issued an Order setting a Case Management
6 Conference in this case for March 2, 2017 (Dkt. 204 p. 8).

7 WHEREAS, EA filed its MSJ on February 15, 2017, so that Plaintiffs' opposition to that
8 motion is currently due on March 1, 2017, EA's reply brief is due March 8, 2017, and the hearing
9 is currently scheduled for March 23, 2017 at 2:30 p.m.. (Dkt. 206).

10 WHEREAS, Plaintiffs lead counsel is scheduled to undergo surgery on February 24, 2017,
11 and has been advised he will be unable to work for a week thereafter including March 2, 2017.

12 THEREFORE, the parties, by and through their undersigned counsel, hereby stipulate and
13 respectfully request as follows:

14 **STIPULATION**

15 1. The Case Management Conference be continued for one week to March 9, 2017 at
16 10:00 a.m.

17 2. The briefing schedule on EA's MSJ shall be continued for one week so that Plaintiffs'
18 opposition is due March 8, 2017, and EA's reply brief is due March 15, 2017.

19 3. The hearing on EA's MSJ shall be continued to April 6, 2017 at 1:30 P.M.

20 Both parties agree to the stipulation as indicated by their signatures below. The parties
21 respectfully request that the Court approve the stipulation. A proposed Order is filed herewith.

22
23 Dated: February 23, 2017

HENRI LAW GROUP

24
25 /s/ Brian D. Henri
26 BRIAN D. HENRI
27 Attorneys for Plaintiffs MICHAEL
28 E. DAVIS, VINCE FERRAGAMO, and
BILLY JOE DUPREE

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Dated: February 23, 2017

KEKER & VAN NEST LLP

/s/ R. James Slaughter
R. JAMES SLAUGHTER
Attorneys for Defendant
ELECTRONIC ARTS INC.

DECLARATION OF BRIAN D. HENRI

I, BRIAN D. HENRI, declare:

1. I am an attorney licensed to practice law in the State of California, and am admitted to the Northern District of California, and am the founder of the Henri Law Group, lead counsel for Plaintiffs Michael E. Davis, Vince Ferragamo, and Billy Joe DuPree in this action. I make this declaration pursuant to Local Rule 6-2(a). The facts stated herein are true of my own knowledge unless otherwise stated, and if called upon, I could and would competently testify thereto.

2. The reason to continue the Case Management Conference and the hearing and briefing schedule on defendant Electronic Arts Inc.'s motion for partial summary judgment, is that I am scheduled to undergo surgery on February 24, 2017. Furthermore, I have been informed that I will be unable to work for a one-week following the surgery.

3. No previous modifications to the above-mentioned dates have requested and the requested continuances do not impact the schedule for the case.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 23rd day of February, at Los Altos, California.

/s/ Brian D. Henri
BRIAN D. HENRI


~~PROPOSED~~ ORDER

The Court, having considered the above joint request and good cause appearing therefore,
HEREBY ORDERS as follows:

1. The Case Management Conference scheduled for March 2, 2017 at 10:00 is hereby continued to March 9, 2017 at 10:00 a.m.
2. The hearing on EA’s Motion for Partial Summary Judgment is continued from March 23, 2017 to April 6, 2017 at 1:30 p.m. The following schedule shall apply to EA’s motion:
 - a. Plaintiffs’ opposition shall be filed no later than March 8, 2017.
 - b. EA’s reply brief shall be filed no later than March 15, 2017.

PURSUANT TO PARTIES STIPULATION, IT IS SO ORDERED.

Dated: 2/24, 2017


THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA